

### REMARKS

This paper is submitted in reply to the Office Action dated September 27, 2004, within the three-month period for response. Moreover, this paper is accompanied by a Request for Continued Examination (RCE) including authorization to charge Deposit Account 23-3000 the requisite fees, and as such, consideration of the foregoing amendments and the remarks hereinafter by the Examiner are respectfully requested.

The Office Action rejected claims 1, 3, 4, 6-8, 11, 12, 17, 19, 20, 22, 24, 25, 27-30, 33, 38, 40-45, 47-49, 52, 53, 58, 60, and 61 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,677,790 to Taglieri). The Office Action also rejected 5, 9, 10, 13, 26, 31, 32, 46, 50, 51, and 54 under 35 U.S.C. § 103(a) as being unpatentable over Taglieri.

Applicant respectfully traverse the rejections and objections, as the cited references do not disclose or suggest the invention as recited in any of claims 1, 3-22 and 24-61. Applicant has amended claims 1, 21, 22, and 42 in deference to the Examiner. Claims 2 and 23 have been canceled. Moreover, Applicants respectfully submit that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed.

Applicants wish to thank the Examiner for the consideration extended in the telephonic interview conducted between the Examiner and Applicants' representative on November 4, 2004. In the interview, proposed amendments to the claims were discussed. Based upon the proposed amendments, the Examiner indicated that such proposed Amendments would overcome the art of record. To this end, all the remaining independent claims recite a structure that seats free of a fastener within a user's pocket.


Applicants respectfully submit that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may

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contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

12/17/04  
Date

  
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